

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Gordon Spurgeon,)	C.A. #2:04-22362-23
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
Elizabeth S. Mabry, Director of S.C.)	
Department of Transportation and)	
Eagle Construction,)	
)	
Defendants..)	
)	

This matter is before the court upon the magistrate judge's recommendation that defendants' motion to strike punitive damages be granted. The record includes the report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b)(1)(B).

This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is hereby **ordered** that defendants' motion to strike punitive damages is **GRANTED**.

ORDERED, that the magistrate judge's report and recommendation is adopted as the order of this Court.

AND IT IS SO ORDERED.

s/Patrick Michael Duffy

Patrick Michael Duffy
U.S. District Judge

May 16, 2005
Charleston, South Carolina